

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

WISCONSIN LABORERS HEALTH FUND, et al.

Plaintiff,

v.

Case No. 14-C-261

TIM BLOY,

Defendant.

ORDER GRANTING DEFAULT JUDGMENT AND INJUNCTIVE RELIEF

Motion for default judgment brought by the Plaintiffs in the above-captioned action was submitted to the Court and subsequently filed with the Clerk. The Court, having duly heard all issues and having satisfied itself that service of process was adequately accomplished, finds and orders as follows:

1. Defendant Tim Bloy d/b/a Tim Bloy Construction has failed to plead or otherwise defend as provided by Rule 55(a) of the Federal Rules of Civil Procedure.

2. Defendant Tim Bloy d/b/a Tim Bloy Construction violated the Labor Management Relations Act of 1947, as amended, as well as the Employee Retirement Income Security Act of 1974, as amended, and the effective collective bargaining agreement by failing to pay fringe benefit contributions on behalf of its employees to the Plaintiff Funds and by failing to submit to a full audit of the company's books and records by the Plaintiff Funds' designated representative covering the period of April 1, 2012 to the present date.

IT IS HEREBY ORDERED:

(a) that the Defendant Tim Bloy d/b/a Tim Bloy Construction shall submit within ten (10) days of the date of this Order to an audit of the company's books and records by the Plaintiff Funds' designated representative covering the period of April 1, 2012 to the present date for any and all employees of Defendant by mailing or emailing all pertinent records to Daniel Dahl, Field Auditor, Combined Crafts Statewide Audit Program at 2901 West Beltline Highway, Suite 100, Madison, WI 53713-4231 or dand@bpalja.com; OR (b) that the Defendant Tim Bloy d/b/a Tim Bloy Construction shall submit within ten (10) days of the date of this Order to an on-site audit of the company's books and records by the Plaintiff Funds' designated representative covering the period of April 1, 2012 to the present date for any and all employees of Defendant; AND (c) that the Defendant Tim Bloy d/b/a Tim Bloy Construction shall pay the additional costs and expenses incurred by the Plaintiff Funds' field auditor necessitated by Defendant's refusal to produce all requested records on the original audit date; AND (d) that the results of said audit shall be submitted to the court within ten (10) days of the completion of the audit, and the Clerk of Court shall amend the judgment in favor of the Plaintiff Funds to include all contributions, interest, and liquidated damages due the Plaintiff Funds as reported by the auditor, along with Plaintiffs' costs and attorney fees.

Dated this 22nd day of September, 2014.

/s William C. Griesbach
William C. Griesbach, Chief Judge
United States District Court